

REMARKS

This Amendment is in response to the Office Action mailed on April 12, 2010. Claims 15 and 21 are amended and are supported, for example, in the specification on page 18, lines 15-20, page 19, line 21-page 20, line 2 and in Figs. 11 and 14. No new matter is added. Claims 15 and 21-26 are pending.

§102 Rejections:

Claims 15 and 21-24 are rejected as being anticipated by Thorley (US Patent No. 7,500,967). This rejection is traversed.

Claim 15 is directed to a cam mechanism for rotating a lancet relative to a cap, the lancet including a body and a lancing needle projecting from the body, the cap being initially integral with the body of the lancet and subsequently removable from the body by rotating the cap relative to the lancet. Claim 15 also recites that the cam mechanism includes a cylindrical housing separate from the cap.

Thorley does not disclose or suggest these features. The rejection interprets the end element 14 of Thorley as the cap of claim 15 and appears to interpret the hollow barrel 12 of Thorley as the cylindrical housing of claim 15. However, the end element 14 is integral with the hollow barrel 12 and is never separate from the barrel 12. Thus, Thorley does not disclose or suggest that its cam mechanism includes a cylindrical housing separate from the cap.

Also, Thorley only discloses a cam mechanism for retracting a needle 13 (which has no cap) into the barrel 12 (see column 3, line 51-column 4, line 22 of Thorley). Thus, Thorley does not disclose or suggest a cam mechanism for rotating a lancet relative to a cap, the lancet including a body and a lancing needle projecting from the body, the cap being initially integral with the body of the lancet and subsequently removable from the body by rotating the cap relative to the lancet.

For at least these reasons claim 15 is not disclosed by Thorley and should be allowed.

Claim 21 is directed to a lancing device that recites, among other features, a lancet holder that holds a lancet including a body and a lancing needle projecting from the body, the lancing needle being covered by a cap that is separate from the housing and initially

integral with the body of the lancet. Claim 21 also recites a cam mechanism for converting a retracting movement of the lancet holder along the longitudinal axis of the housing into rotation of the lancet holder and the lancet relative to the cap for removing the cap from the body of the lancet.

Thorley does not disclose or suggest these features. The rejection interprets the end element 14 of Thorley as the cap of claim 21 and appears to interpret the hollow barrel 12 of Thorley as the cylindrical housing of claim 21. However, the end element 14 is integral with the hollow barrel 12 and is never separate from the barrel 12. Thus, Thorley does not disclose or suggest the lancing needle being covered by a cap that is separate from the housing and initially integral with the body of the lancet.

Also, Thorley only discloses a cam mechanism for retracting a needle 13 (which has no cap) into the barrel 12 (see column 3, line 51-column 4, line 22 of Thorley). Thus, Thorley does not disclose or suggest a cam mechanism for converting a retracting movement of the lancet holder along the longitudinal axis of the housing into rotation of the lancet holder and the lancet relative to the cap for removing the cap from the body of the lancet.

§103 Rejections:

Claims 25 and 26 are rejected as being unpatentable over Thorley in view of McAleer (US Patent No. 5,989,917). This rejection is traversed. Claims 25 and 26 depend from claim 21 and should be allowed for at least the same reasons discussed above. Applicants do not concede the correctness of this rejection.

Conclusion:

Applicants respectfully assert that the pending claims are in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.



Dated: September 13, 2010

Respectfully submitted,

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